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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twenty-second session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 25th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 11 May 2000, at 3 p.m.

Chairperson: Mrs. BONOAN-DANDAN

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* The summary record of the second part (closed) of the meeting appears as document E/C.12/2000/SR.25/Add.1.

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GE.00-42141 (E)

The meeting was called to order at 3.10 p.m.

SUBSTANTIVE ISSUES ARISING IN THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 3) (continued)

Adoption of draft general comment No. 14 on article 12 of the Covenant (the right to the highest attainable standard of health)

1. The CHAIRPERSON said that the meeting was being held in public session in order to adopt draft general comment No. 14 on article 12 of the Covenant on Economic, Social and Cultural Rights concerning the right to the highest attainable standard of health. The text before the Committee was the version of 9 May 2000. She would ask Mr. Riedel, Rapporteur for the draft general comment, to recapitulate, paragraph by paragraph, the changes that had been introduced as a result of the discussion at the Committee's meeting on 10 May 2000 (E/C.12/2000/SR.23). The paragraphs in the adopted text would be renumbered as appropriate.

2. After Mr. Riedel had recapitulated the changes made in the version of 9 May 2000, the Committee adopted draft general comment No. 14 on article 12 of the Covenant on Economic, Social and Cultural Rights (the right to the highest attainable standard of health), as amended, paragraph by paragraph.

3. Mr. RIEDEL, Rapporteur for the draft general comment, said that the Committee could congratulate itself on a job well done. His own work could never have been completed without the generous help of his fellow Committee members. Special thanks were owed to Mr. Hunt, who had spent much time helping to streamline and rearrange the text to bring it into line with previously adopted general comments. Mr. Hunt had shared his own view that the approach should not be too restrictive and that it was important for the Committee to come up with an authoritative statement at a time when one was really needed. The mainstreaming of human rights in the rest of the United Nations family gave the Committee an opportunity to make itself heard on a topic that was of vital importance to millions of people throughout the world. The drafting of a 65-paragraph document in so short a time was an extraordinary feat that would have been impossible without the input of those Committee members, who, in addition to their normal work of examining country reports, had been ready to provide him with written versions, even in some cases translations, of the ideas they expressed. Many thanks were also due to the secretariat drafting group and to the individual experts who had together accompanied some eight different versions of the text just adopted by the Committee. Some 150 pages of comments had been received from a great number of NGOs, who would find their input reflected in many places. All those concerned had realized that the overall aim was to ensure the recognition of health as a human right. He had been particularly pleased to hear from the representative of the World Bank, at the Committee's public meeting on Monday, 8 May 2000 (E/C.12/2000/SR.19), that even among the international financial institutions new thinking had been set in motion. In conclusion, he paid a special tribute to the Chairperson, who had kept the Committee working on track so that its task could be completed in good time.

4. The CHAIRPERSON thanked Mr. Riedel for the efforts he had put into drafting the general comment on the right to health. She further expressed appreciation to the many others

who had contributed to those efforts, including the World Health Organization (WHO), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations agencies, non-governmental organizations (NGOs) and individual experts.

5. Mr. CEAUSU also expressed appreciation to Mr. Riedel for the meticulous way in which he had carried out the work of drafting the general comment and his efforts to consult all the relevant parties and take on board all the ideas conveyed to him. It was to be hoped that his way of working would be used as a model for similar work in the future.

6. Mr. ANTANOVICH, endorsing the thanks expressed to Mr. Riedel, said that the Committee should feel not only relief but also contentment and pride that the general comment on health had been successfully completed. He hoped that the Committee would be spurred on by that success to do further good work on other general comments, such as the one on the right to culture and science that was already planned. Drafting general comments was an especially important part of the Committee's work, as was confirmed by the fact that various United Nations agencies and other organizations had emphasized how useful they were.

7. Mrs. JIMÉNEZ BUTRAGUEÑO added her thanks to Mr. Riedel and the other members of the Committee who had succeeded in putting the general comment together from the enormous wealth of material available to them.

8. Mr. SADI, also praising Mr. Riedel's efforts, said that the general comment on health corrected a deficiency in the Committee's jurisprudence by helping States parties to understand their obligations regarding the right to health.

9. Mr. MARCHÁN ROMERO, thanking Mr. Riedel and the other members of the Committee who had worked on the general comment, expressed appreciation of the Chairperson's skilled handling of the accompanying discussions.

The public part of the meeting rose at 4 p.m.